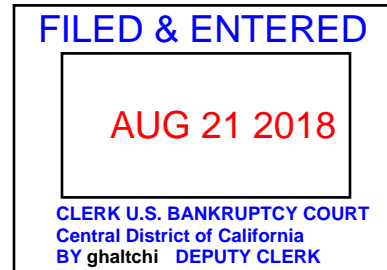


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Attorneys for Richard M. Pachulski,  
Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT**

**CHANGES MADE BY COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

**LOS ANGELES DIVISION**

In re:

LAYFIELD & BARRETT, APC

Debtor.

Case No.: 2:17-bk-19548-NB

Chapter 11

**ORDER AUTHORIZING AND  
APPROVING CHAPTER 11 TRUSTEE'S  
APPLICATION TO EMPLOY KW PARK  
CITY KELLER WILLIAMS REAL  
ESTATE TO MARKET AND SELL REAL  
PROPERTY IN PARK CITY, UTAH**

**[Relates to Docket Nos. 310 and 319]**

**[No Hearing Required]**

The Court has considered the *Chapter 11 Trustee's Application for an Order Authorizing and Approving the Employment of KW Park City Keller Williams Real Estate to Market and Sell Real Property in Park City, Utah* (the "Application")<sup>1</sup> [Docket No. 310], the *Statement of Disinterestedness for Employment of Professional Person Under FRBP 2014* [Docket No. 319], the declarations of Richard M. Pachulski (the "Pachulski Declaration") and Greg Miner (the "Miner Declaration," and together with the Pachulski Declaration, the "Declarations") in support thereof, and based upon the absence of any objection or other response having been filed regarding the Application and upon the entire record before the Court, it appears that KW Park City Keller Williams Real Estate ("KW") does not hold or represent an interest adverse to the estate, that KW

<sup>1</sup> All capitalized terms not otherwise defined herein shall have the same meanings as those ascribed in the Application.

1 is a disinterested person, that its employment is in the best interest of the estate, and that no hearing  
2 on the Application is required pursuant to the Local Bankruptcy Rules. Accordingly, it is hereby

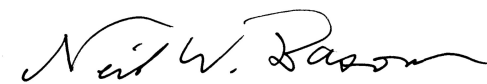
3 **ORDERED** that the Application is approved, and it is further

4 **ORDERED** that Richard M. Pachulski, the Chapter 11 trustee for the estate of Layfield &  
5 Barrett, APC, is authorized to employ KW Park City Keller Williams Real Estate to market and sell  
6 certain real property of the bankruptcy estate located in Park City, Utah, on the terms and  
7 conditions set forth more fully in the Application and the accompanying Declarations, and it is  
8 further

9 **ORDERED** that, notwithstanding any other provisions, Judge Bason's standard terms apply  
10 (unless struck through): (a) employment is per 11 U.S.C. ~~§ 327~~ **not** § 328; (b) payment only per 11  
11 U.S.C. § 330(a) – no lien or superpriority claim is allowed (except as explicitly allowed – *e.g.*,  
12 realtor commissions on court-approved sales); ~~(c) maximum 2 hours per day of non-working time~~  
13 ~~(e.g., travel, or waiting for matter to be called) absent an adequate explanation; (d) no buyers'~~  
14 ~~premium for auctioneers;~~ (e) **no dual agency**; (f) all matters relating to the professional's  
15 engagement, compensation and costs shall be resolved in this Court, notwithstanding any provisions  
16 for arbitration, choice of venue, or the like, and (g) any indemnification, limitation of damages or  
17 the like is ineffective. *See generally In re Circle K Corp.*, 279 F.3d 669 (9<sup>th</sup> Cir. 2002) and 11  
18 U.S.C. § 327(a) (professionals may not "hold or represent an interest adverse to the estate").

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23 Date: August 21, 2018

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26 Neil W. Bason  
27 United States Bankruptcy Judge  
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